

# **Exhibit B**

**THE  
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December 10, 2021

**Via email**

Kimberly Joyce  
Corporation Counsel for the City of New York  
New York City Law Dept.  
100 Church Street  
New York, NY 10007

Re: *Nunez, et al. v. City of New York, et al.*, No. 11-CV-5845 (S.D.N.Y.)

Dear Kim,

We write to follow-up on our letter of November 23, 2021, informing you of violations of the court order requiring all individuals to be processed through intake units within 24 hours. *See* Dkt. 398 (hereafter "Intake Order"), ¶ 1(i)(c). To reiterate, that letter provided the reports of the following individuals who had multiple-day overstay in intake after September 30, 2021, and we have not received from you any substantive response or information:

Name	B&C	NYSID	Facility	Intake Entry (Approx.)	Days (Approx.)
[REDACTED]	[REDACTED]	[REDACTED]	AMKC	10/19/2021	6
[REDACTED]	[REDACTED]	[REDACTED]	EMTC	10/20/2021	5+
[REDACTED]	[REDACTED]	[REDACTED]	AMKC and GRVC	10/29/2021	9+
[REDACTED]	[REDACTED]	[REDACTED]	RNDC	11/1/2021	2
[REDACTED]	[REDACTED]	[REDACTED]	EMTC	11/4/2021	6
[REDACTED]	[REDACTED]	[REDACTED]	EMTC	10/8/2021	3
[REDACTED]	[REDACTED]	[REDACTED]	AMKC	10/13/2021	6+

We also write to provide you with additional reports of overstay we have received since that letter:

Name	B&C	NYSID	Facility	Intake Entry (Approx.)	Days (Approx.)
[REDACTED]	[REDACTED]	[REDACTED]	EMTC	11/15/2021	2-3
[REDACTED]	[REDACTED]	[REDACTED]	AMKC	11/5/2021	2+
[REDACTED]	[REDACTED]	[REDACTED]	AMKC	11/20/2021	3
[REDACTED]	[REDACTED]	[REDACTED]	RNDC	11/27/2021	3

██████████	██████████	██████████	GRVC and VCBC	11/23/2021	7
██████████	██████████	██████████	GRVC	11/30/2021	2
██████████	██████████	██████████	EMTC	9/28/2021	4
██████████	██████████	██████████	AMKC	10/5/2021	6
██████████	██████████	██████████	RNDC	12/6/2021	3

Does the Department have any information that confirms or refutes any of these reports? If so, please provide it, and we will be happy to review these reports in light of your information.

We also note that the reports from EMTC in October contradict the representations made by the Department to the Monitor as to the absence of overstays of new admissions in October (*see* Monitor's Nov. 17, 2021 Status Report, Dkt. 420 at 3, Appendix B iii-iv). The accuracy of the Department's self-reporting is even more critical now that the court order requiring reliable tracking mechanisms has gone into effect. *See* Intake Order, ¶ 1(i)(c). Could you please provide us with the tracking data for the month of November?

Thank you for your attention to these matters.

Sincerely,

/s/

Mary Lynne Werlwas  
David Billingsley  
Kayla Simpson  
THE LEGAL AID SOCIETY

Attorneys for Plaintiffs

cc: Jeffrey Powell  
Lara Eshkenazi  
Assistant United States Attorneys

Steven J. Martin  
Monitor

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<sup>1</sup> ██████████ entered EMTC intake prior to the Sep. 30, but reported staying in EMTC intake for multiple days after Sep. 30.